



**Sprint Nextel**

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January 2, 2008

David Furth, Associate Bureau Chief  
Public Safety and Homeland Security Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: Sprint Nextel's Status Report on 800 MHz Band Reconfiguration  
WT Docket 02-55

Dear Mr. Furth:

Sprint Nextel Corporation ("Sprint Nextel") hereby files the attached report regarding the 800 MHz band reconfiguration progress with the Federal Communications Commission ("Commission") and the 800 MHz Transition Administrator, LLC ("TA"). In its September 12, 2007 *Third Memorandum Opinion and Order* in the above-captioned proceeding, the Commission required Sprint Nextel to submit monthly reports regarding its clearing of Channels 1-120 (Phase I) and the NPSPAC channel block (Phase II). *See Improving Public Safety Communications in the 800 MHz Band*, Third Memorandum Opinion and Order, WT Docket No. 02-55, at ¶¶ 29-30 (rel. Sep. 12, 2007) ("*Third Memorandum Opinion and Order*").<sup>1</sup>

As demonstrated in this report, the substantial progress in 800 MHz band reconfiguration noted in Sprint Nextel's previous monthly reports has continued. In the past month, Sprint Nextel has completed the retuning of all non-Sprint Nextel, non-SouthernLINC Channel 1-120 incumbent licensees in one additional NPSPAC region (Oregon), raising the number of completed Phase I NPSPAC regions to thirty-nine. In the seventeen remaining NPSPAC regions or U.S. Territories in which Channel 1-120 clearing has not been fully completed, fourteen have three or fewer 1-120 Channel licensees remaining to be retuned. ***Overall, ninety-five percent of the nearly 1200 Channel 1-120 licensees that must be retuned during Phase I of 800 MHz band reconfiguration have been retuned.***

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<sup>1</sup> By continuing to file these reports in compliance with this reporting requirement, Sprint Nextel does not waive its right to challenge those requirements or any other portion of the *Third Memorandum Opinion and Order*.

This report also demonstrates a steady increase in the number of public safety licensees that have signed Frequency Retuning Agreements (“FRAs”) and have established dates to initiate their Phase II infrastructure retunes. As of today, public safety licensees and Sprint Nextel have signed nearly 500 FRAs and have entered into a total of over 400 Planning Funding Agreements (“PFAs”). Aided by nearly twenty 800 MHz TA-sponsored Regional Planning meetings to date, eighty-eight Phase II NPSPAC licensees have established a date certain with Sprint Nextel for completing their retunes, an increase of 37 percent from the sixty-four licensees listed last month.<sup>2</sup> We anticipate that this total will increase significantly in the coming months, as Sprint Nextel and additional public safety licensees are finalizing infrastructure retune dates, typically as an output of the TA Regional Planning meetings. Based on *ad hoc* requests to schedule and perform retunes, as well as those discussed through the TA planning process, Sprint Nextel has been notified of and is prepared to timely provide cleared replacement channels for nearly 500 public safety retunes.<sup>3</sup> Overall, over seventy licensees, including both NPSPAC and Expansion Band public safety licensees, have already fully retuned to their new channel assignments.

While these facts demonstrate significant progress in band reconfiguration, there continue to be barriers to timely completion of Phase I and Phase II of 800 MHz band reconfiguration that are outside Sprint Nextel’s control. Although ninety-five percent of all Phase I retunes are complete, as noted above, 57 Phase I non-border licensees have not completed their Phase I retunes.<sup>4</sup> These delayed retunes may in turn prevent corresponding Phase II licensees from initiating their own retunes. As previously noted, Sprint Nextel cannot compel licensees to complete their retunes.<sup>5</sup>

Sprint Nextel remains concerned with the Bureau’s continued relaxation of its recently adopted planning completion deadlines. The Bureau has granted well over 100 extension requests of the Wave 1 and Wave 2 planning deadlines adopted by the Commission in September 2007 and, in some cases, the Bureau has granted individual licensees multiple extensions. To Sprint Nextel’s knowledge, at least 50 requests for extension of the December 15, 2007 Wave 3 planning deadlines have

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<sup>2</sup> See Figure 4.

<sup>3</sup> The dates for these retunes will be responsive to the requirements of public safety licensees. Some are scheduled for completion in 2008; others in 2009 and beyond.

<sup>4</sup> See Figure 1. To Sprint Nextel’s knowledge none of these licensees have requested a waiver of the Commission’s Phase I 800 MHz band reconfiguration deadline of December 26, 2007.

<sup>5</sup> See Sprint Nextel’s 18-Month Benchmark Report dated January 26, 2007 at page 4.

been filed and are pending. These extension requests have neither been filed in the 800 MHz rulemaking docket nor otherwise made publicly available.

Since we have not seen the majority of the waiver requests, Sprint Nextel continues to take no position on the propriety of the Bureau's grants.<sup>6</sup> We note, however, that the sheer number of planning extensions granted to public safety licensees ensures that many licensees will not be ready to initiate FRA negotiations, execute FRAs and complete their retunes within the Commission's current timeline. In that regard, the Bureau's waiver requirement for planning completion deadlines appears to be causing licensees to divert their resources to preparing waiver requests and away from doing the planning needed to finish band reconfiguration.<sup>7</sup> This, too, has negative ramifications for the time necessary to complete 800 MHz reconfiguration.

Sprint Nextel appreciates the continuing opportunity to update the Commission on the substantial progress being made in 800 MHz band reconfiguration. We are available to discuss this Report at the Bureau's convenience. Sprint Nextel remains committed to completing 800 MHz band reconfiguration and submits that by any objective measure substantial progress continues.

Should you have any further questions in this matter, please contact the undersigned.

Respectfully submitted

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<sup>6</sup> Sprint Nextel has no ability to expedite public safety's planning efforts once the PFAs are signed. The speed with which public safety can complete their planning efforts is wholly within the control of public safety licensees, their vendors and the FCC. Until those planning efforts are completed, and complete cost estimates are fully developed and provided, Sprint Nextel is unable to negotiate the substance of individual FRAs or implement and facilitate the retuning of public safety licensees.

<sup>7</sup> See e.g., FCC REBANDING ORDER CREATES MAJOR HEADACHES, by Glenn Bischoff, Mobile Radio Technology Magazine (November 14, 2007), available at: [http://mrtmag.com/rebanding/news/fcc\\_rebanding\\_order\\_111407/](http://mrtmag.com/rebanding/news/fcc_rebanding_order_111407/) ("Andy Maxymillian, senior consultant for Blue Wing Services who also represents 800 MHz licensees, said the new deadlines set by the FCC's September 2007 order effectively stopped rebanding work for his clients. "The reaction from the clients that we're working with has not been to accelerate the work that they're doing. In fact, in a lot of cases, it has been just the opposite," he said. "The Oct. 15 deadline was the big example, where licensees were required to complete planning by [that date]. In almost every case in our client base, there wasn't an acceleration to speed up to meet that date, there was a pause ... to write up requests for extensions or waivers.")

*David Furth, Associate Bureau Chief*

*January 2, 2008*

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Lawrence R. Krevor  
Vice President – Spectrum

James B. Goldstein  
Director, Spectrum Reconfiguration

cc: 800 MHz Transition Administrator

*Monthly Status Report to FCC*

*Figure 1: Retuning Status of Channels 1-120 – Non-Border Licensees*

NPSPAC Region #	Region Name	# of Non-Border Licensees		
		1-120 Total Licensees	1-120 Licensees Cleared	1-120 Licensees Remainin g
1	Alabama	7	7	0
2	Alaska	13	13	0
3	Arizona	48	45	3
4	Arkansas	17	17	0
5	Southern California	6	5	1
6	Northern California	63	62	1
7	Colorado	21	21	0
8	New York Metropolitan Area	49	49	0
9	Florida	105	88	17
10	Georgia	42	39	3
11	Hawaii	32	32	0
12	Idaho	12	12	0
13	Illinois	30	30	0
14	Indiana	19	19	0
15	Iowa	10	10	0
16	Kansas	16	16	0
17	Kentucky	16	16	0
18	Louisiana	44	33	11
19	New England	36	35	1
20	Washington, DC/Baltimore	31	25	6
21	Michigan	2	2	0
22	Minnesota	51	51	0
23	Mississippi	17	15	2
24	Missouri	23	23	0
25	Montana	11	11	0
26	Nebraska	7	7	0
27	Nevada	45	45	0
28	Eastern PA (Philadelphia)	32	32	0
29	New Mexico	24	24	0
30	New York – Albany	8	7	1
31	North Carolina	31	29	2
32	North Dakota	8	8	0
33	Ohio	16	15	1

NPSPA C Region #	Region Name	# of Non-Border Licensees		
		1-120 Total Licensee s	1-120 Licensee s Cleared	1-120 Licensees Remainin g
34	Oklahoma	11	11	0
35	Oregon	24	24	0
36	Pennsylvania	7	7	0
37	South Carolina	14	13	1
38	South Dakota	9	9	0
39	Tennessee	31	31	0
40	Dallas, TX	23	23	0
41	Utah	10	10	0
42	Virginia	27	27	0
43	Washington	11	11	0
44	West Virginia	5	5	0
45	Wisconsin	15	15	0
46	Wyoming	3	3	0
47	Puerto Rico	12	9	3
48	Virgin Islands	8	8	0
49	Austin, TX	8	8	0
50	Texas - El Paso	16	16	0
51	Houston, TX	23	23	0
52	Lubbock, TX	25	25	0
53	Texas - San Antonio	14	13	1
54	Great Lakes (Chicago) <sup>2</sup>	40	39	1
55	Western Upstate New York	0	0	0
	US Territories (Guam, Northern Mariana, Gulf of Mexico, etc.)	2	0	2

***Figure 2: Retuning Status of Channels 1-120 – SouthernLINC Cleared***

NPSPAC Region #	Region Name	SouthernLINC 1-120 Channels Cleared
1	Alabama	1
9	Florida	0
10	Georgia	1
23	Mississippi	0
31	North Carolina	0
37	South Carolina	0
39	Tennessee	0

**Figure 3: Retuning Status of Channels 1-120 – Sprint Nextel Clearing**

NPSPAC Region #	Region Name	# of Channels
		Sprint Nextel 1- 120 Cleared for Licensees
1	Alabama	4
2	Alaska	0
3	Arizona	0
4	Arkansas	5
5	Southern California	0
6	Northern California	35
7	Colorado	82
8	New York Metropolitan Area	10
9	Florida	0
10	Georgia	0
11	Hawaii	0
12	Idaho	0
13	Illinois	4
14	Indiana	37
15	Iowa	0
16	Kansas	25
17	Kentucky	16
18	Louisiana	0
19	New England	2
20	Washington, DC/Baltimore	0
21	Michigan	0
22	Minnesota	3
23	Mississippi	3
24	Missouri	16
25	Montana	0
26	Nebraska	7
27	Nevada	0
28	Eastern PA (Philadelphia)	0
29	New Mexico	0
30	New York – Albany	0
31	North Carolina	0
32	North Dakota	0



NPSPAC Region #	Region Name	# of Channels
		Sprint Nextel 1- 120 Cleared for Licensees
33	Ohio	0
34	Oklahoma	5
35	Oregon	11
36	Pennsylvania	0
37	South Carolina	0
38	South Dakota	0
39	Tennessee	3
40	Dallas, TX	14
41	Utah	5
42	Virginia	27
43	Washington	0
44	West Virginia	0
45	Wisconsin	0
46	Wyoming	11
47	Puerto Rico	0
48	Virgin Islands	0
49	Austin, TX	0
50	Texas - El Paso	0
51	Houston, TX	13
52	Lubbock, TX	0
53	Texas - San Antonio	0
54	Great Lakes (Chicago)	24
55	Western Upstate New York	0
	US Territories (Guam, Northern Mariana, Gulf of Mexico, etc.)	0

**Figure 4: NPSPAC Licensees' Agreed Upon Sprint Nextel Clear Dates for Channels 1-120**

NPSPAC Region #	Region Name	Licensee Name	Agreed Upon Date for Sprint Nextel to Clear By
1	Alabama	Talladega County EMA, AL PH II	12/27/2007
4	Arkansas	Jefferson, County of, AR PH II	9/27/2007
6	California - North	Lodi, City of, CA PH II	9/15/2007
6	California - North	Emeryville, City of, CA PH II	9/25/2007
6	California - North	Campbell, City of, CA PH II	10/1/2007
6	California - North	San Joaquin, County of, CA PH II	10/1/2007
6	California - North	Stockton, City of, CA PH II	10/1/2007
6	California - North	Contra Costa County, CA PH II	10/22/2007
6	California - North	Ceres, City of, CA PH II	10/31/2007
6	California - North	Turlock, Gustine City's of, CA PH II	10/31/2007
6	California - North	Elk Grove Unified School District, CA PH II	12/29/2007
6	California - North	University of California - Merced PH II	1/15/2008
6	California - North	Palo Alto, City of, CA PH II	2/15/2008
6	California - North	Vacaville, City of, CA PH II	2/15/2008
6	California - North	San Bruno, City of, CA PH II	2/17/2008
6	California - North	Fresno, City of, CA PH II	3/26/2008
7	Colorado	Lakewood, City of, CO, Phase II	6/19/2007
7	Colorado	Pikes Peak Regional Comm Network	9/15/2007
7	Colorado	Adams Twelve Five Star School District, Phase II	11/27/2007
7	Colorado	Westminster, City of, CO PH II	12/1/2007
7	Colorado	Colorado, State of PH II	1/25/2008
8	New York - Metropolitan	New York, State of PH II Metro 21	9/4/2007
8	New York - Metropolitan	West Orange, Township of, NJ PH II	1/20/2008
8	New York - Metropolitan	State University of NY Maritime College PH II	1/26/2008
8	New York - Metropolitan	Parsippany Troy Hills, Township, NJ PH II	2/11/2008
10	Georgia	Crisp, County of, GA	12/13/2007
13	Illinois	Saint Clair County Transit District, IL PH II	7/31/2007
14	Indiana	Lagrange County Communications, IN PH II	9/16/2007
14	Indiana	Hancock County of, IN PH II	10/24/2007
14	Indiana	Cass, County of, IN PH II	11/19/2007
14	Indiana	Anderson, City of, IN PH II	11/26/2007

14	Indiana	Metropolitan Emergency Communications Agcy PH II	11/30/2007
14	Indiana	Steuben, County of, IN PH II	12/5/2007
14	Indiana	Howard, County of, IN PH II	12/17/2007
16	Kansas	Finney County, KS PH II	9/21/2007
16	Kansas	Prairie Band of Potawatomi Nation, KS PH II	10/15/2007
16	Kansas	Wabaunsee County, KS PH II	11/25/2007
16	Kansas	McPherson County, KS PH II	12/4/2007
16	Kansas	Crawford County, KS PH II	2/7/2008
17	Kentucky	Kentucky State Police PH II	9/10/2007
17	Kentucky	Campbell, County of, KY PH II	11/8/2007
17	Kentucky	Covington, City of, KY PH II	11/9/2007
17	Kentucky	Kenton, County of, KY PH II Police	11/9/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	Watertown, Town of, MA PH II	6/22/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	South Hadley, Town of, MA PH II	6/23/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	North Andover, Town of, MA PH II	12/15/2007
19	Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut	Easton, Town of, MA PH II	1/19/2008
22	Minnesota	Brown, County of, MN PH II	7/31/2007
22	Minnesota	Sherburne, County of, MN PH II	12/17/2007
22	Minnesota	Hennepin, County of, MN PH II	1/16/2008
22	Minnesota	Rice & Steele, County of, MN PH II	1/16/2008
22	Minnesota	Olmsted, County of, MN PH II	1/29/2008
22	Minnesota	Wright, County of, MN PH II	1/30/2008
22	Minnesota	Minnesota, State of PH II	3/1/2008
22	Minnesota	Saint Louis, County of, MN PH II	3/1/2008
23	Mississippi	Baptist Memorial Health Care Corporation	11/28/2007

		PH II	
24	Missouri	Saint Clair County Transit District, IL PH II	7/31/2007
24	Missouri	Liberty, City of, MO PH II	9/11/2007
24	Missouri	Joplin, City of, MO PH II	10/22/2007
24	Missouri	Gladstone, City of, MO PH II	2/8/2008
26	Nebraska	Scottsbluff, County of, NE PH II	12/21/2007
26	Nebraska	Nemaha, County of, NE PH II	2/1/2008
26	Nebraska	Richardson, County of, NE PH II	2/4/2008
27	Nevada	North Las Vegas, City of, NV PH II	2/25/2008
29	New Mexico	Colorado, State of PH II	1/25/2008
34	Oklahoma	Owasso, City of, OK PH II	12/15/2007
35	Oregon	Oregon Department of Corrections PH II	10/1/2007
35	Oregon	Oregon, State of - OR PH II	10/1/2007
39	Tennessee	Baptist Memorial Health Care Corporation PH II	11/28/2007
40	Texas - Dallas	Greenville, City of, TX PH II	11/3/2007
40	Texas - Dallas	Baylor Health Care System, TX PH II	11/20/2007
40	Texas - Dallas	Parker County, TX PH II	11/20/2007
40	Texas - Dallas	Sherman, City of, TX PH II	11/25/2007
40	Texas - Dallas	City of North Richland Hills, TX PH II	11/28/2007
40	Texas - Dallas	Duncanville, City of, TX PH II	12/1/2007
41	Utah	Salt Lake City, City of, UT PH II	11/11/2007
41	Utah	Colorado, State of PH II	1/25/2008
42	Virginia	Harrisonburg-Rockingham Emer Comms. Center PH II	11/18/2006
42	Virginia	Blacksburg, Town of, VA PH II	12/9/2007
45	Wisconsin	Minnesota, State of PH II	3/1/2008
45	Wisconsin	Minnesota, State of PH II - Wave 1	3/1/2008
46	Wyoming	Cheyenne, City of, WY PH II	11/14/2007
51	Texas - Houston	Matagorda County, TX PH II	12/8/2007
54	Chicago - Metropolitan	Rock, County of, WI PH II	10/3/2007
54	Chicago - Metropolitan	Bolingbrook, Village of, IL PH II	12/7/2007
54	Chicago -	Milwaukee, City of, WI PH II	12/13/2007

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	Metropolitan		
54	Chicago - Metropolitan	Ozaukee, County of, WI PH II	12/29/2007
54	Chicago - Metropolitan	Kenosha, County of, WI PH II	1/31/2008